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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,765	02/22/2002	John E. Lewis	00637	1194
26285	7590	02/07/2005	EXAMINER AMINZAY, SHAIMA Q	
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP 535 SMITHFIELD STREET PITTSBURGH, PA 15222			ART UNIT 2684	PAPER NUMBER

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/080,765	LEWIS, JOHN E.
	Examiner Shaima Q. Aminzay	Art Unit 2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 29 September 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-28 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-28 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 22 February 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Response to Amendment

The following office action is in response to Amendment, filed on September 29, 2004.

The independent claims 1, 11-15, 22 and 28 are amended.

Claims 1-28 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action

(a) Patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made

1. Claims 1-27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daly (Daly, U. S. Publication number 20020193103) in view of Bridges (Bridges et al., U. S. Publication number 20030054809).

Regarding claim 1, Daly discloses a memory for storing data for access by an application program executed by a computer for obtaining IRDB information for a mobile communication device in a multi-service telecommunication service provider environment (see for example, Figure 3, 313, paragraph [0033], lines 1-14, [0034], lines 1-15, [0045], lines 1-10, paragraph [0065], lines 1-6, the over the

air program (application program) access inform of the IRDB (313) for a mobile communication device in a multi-service provider environment), comprising: a table stored in the memory (see for example, paragraph [0045], lines 1-10, [0064], lines 1-8, table is stored in memory), the table containing a plurality of ESN features associated with mobile telecommunication devices for a plurality of wireless markets (see for example, paragraph [0071], lines 1-10, the table contains ESN associated with mobile telecommunication devices), and [wherein comparing the ESN acquired from the mobile communications occurs when] the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting ESN and downloading the correct IRDB data).

Daly does not specifically teach the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device]. However, Daly discloses verifying the correct ESN in a multi-service telecommunication service provider network for determining and downloading the IRDB to the mobile communication device (see for example, paragraph [0076], lines 1-12, [0055], lines 1-4).

In related art, Bridges discloses the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device] (see for example, paragraph [0075], lines 7-29), and wherein comparing the ESN acquired from the mobile

communications occurs when [the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates] (see for example, paragraph [0075], lines 1-29).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Bridges' Intelligent Roaming System method of comparing the ESN (see for example, paragraph [0075], lines 1-29) with Daly's mobile telecommunication system to provide the mobile station with pre-programmed information for intelligent roaming communicating with intelligent roaming database (IRDB) to prevent "wrongly identify a favored partner/associate service provider as the customer roams through various geographic areas" (Daly, paragraph [0014], lines 14-18), and to provide personal communication services and other wireless network system, and mobile stations having intelligent roaming and over-the-air programming features (Bridges, [0003], lines 3-6).

Regarding claim 11, Daly discloses a system for obtaining IRDB information for a mobile communication device in a multi-service telecommunication service provider environment (see for example, Figure 3, 313, paragraph [0033], lines 1-14, [0034], lines 1-15, [0045], lines 1-10, paragraph [0065], lines 1-6, in Figure 3 the system for obtaining the IRDB (313) information for a mobile communication device in a multi-service provider environment), comprising: a plurality of ESN features associated with mobile telecommunication devices for a plurality of wireless markets (see for example, Figure 3 (312, 313), Figures 12 and 13,

paragraph [0071], lines 1-10, containing ESN associated with mobile telecommunication devices), and [wherein comparing the ESN acquired from the mobile communications occurs when] the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting ESN and downloading the correct IRDB data).

Daly does not specifically teach the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device]. However, Daly discloses verifying the correct ESN in a multi-service telecommunication service provider network for determining and downloading the IRDB to the mobile communication device (see for example, paragraph [0076], lines 1-12, [0055], lines 1-4).

In related art, Bridges discloses the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device] (see for example, paragraph [0075], lines 7-29), and wherein comparing the ESN acquired from the mobile communications occurs when [the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates] (see for example, paragraph [0075], lines 1-29).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Bridges' Intelligent Roaming System method of

comparing the ESN (see for example, paragraph [0075], lines 1-29) with Daly's mobile telecommunication system to provide the mobile station with pre-programmed information for intelligent roaming communicating with intelligent roaming database (IRDB) to prevent "wrongly identify a favored partner/associate service provider as the customer roams through various geographic areas" (Daly, paragraph [0014], lines 14-18), and to provide personal communication services and other wireless network system, and mobile stations having intelligent roaming and over-the-air programming features (Bridges, [0003], lines 3-6).

Regarding claim 12 and 15, Daly discloses a system for obtaining IRDB information for a mobile communication device in a multi-service telecommunication service provider environment (see for example, Figure 3, 313, paragraph [0033], lines 1-14, [0034], lines 1-15, [0045], lines 1-10, paragraph [0065], lines 1-6, in Figure 3 the system for obtaining the IRDB (313) information for a mobile communication device in a multi-service provider environment), comprising: receiving an ESN from a mobile communication device (see for example, paragraph [0045], lines 1-10, [0065], lines 1-6, [0067], lines 1-12, receiving and updating ESN); querying a table containing a plurality of features associated with a mobile telecommunication devices for a plurality of wireless markets in accordance with the ESN received from the mobile communication device (see for example, Figure 3 (312, 313), Figures 12 and 13, paragraph [0071], lines 1-10, containing ESN associated with mobile telecommunication

devices); and selecting an IRDB template from an IRDB database based on the ESN received from the mobile communication device and the features contained in the table (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting IRDB based on received ESN information), and [wherein comparing the ESN acquired from the mobile communications occurs when] the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting ESN and downloading the correct IRDB data).

Daly does not specifically teach the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device]. However, Daly discloses verifying the correct ESN in a multi-service telecommunication service provider network for determining and downloading the IRDB to the mobile communication device (see for example, paragraph [0076], lines 1-12, [0055], lines 1-4).

In related art, Bridges discloses the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device] (see for example, paragraph [0075], lines 7-29), and wherein comparing the ESN acquired from the mobile communications occurs when [the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB

templates] (see for example, paragraph [0075], lines 1-29).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Bridges' Intelligent Roaming System method of comparing the ESN (see for example, paragraph [0075], lines 1-29) with Daly's mobile telecommunication system to provide the mobile station with pre-programmed information for intelligent roaming communicating with intelligent roaming database (IRDB) to prevent "wrongly identify a favored partner/associate service provider as the customer roams through various geographic areas" (Daly, paragraph [0014], lines 14-18), and to provide personal communication services and other wireless network system, and mobile stations having intelligent roaming and over-the-air programming features (Bridges, [0003], lines 3-6).

Regarding claims 13 and 22, Daly discloses a system for obtaining correct IRDB information for a mobile communication device in a multi-service telecommunication service provider environment (see for example, Figure 3, 313, paragraph [0033], lines 1-14, [0034], lines 1-15, [0045], lines 1-10, paragraph [0065], lines 1-6, in Figure 3 the system for obtaining the IRDB (313) information for a mobile communication device in a multi-service provider environment), comprising: receiving a registration notification message from a mobile communication device (see for example, paragraph [0033], lines 6-14); querying a table containing a plurality of features associated with a mobile telecommunication devices for a plurality of wireless markets in accordance with

the ESN received from the mobile communication device (see for example, Figure 3 (312, 313), Figures 12 and 13, paragraph [0071], lines 1-10, containing ESN associated with mobile telecommunication devices); selecting an IRDB template from an IRDB database based on the value of the ESN received from the mobile communication device and the features contained in the table (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting IRDB based on received ESN information), and [wherein comparing the ESN acquired from the mobile communications occurs when] the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting ESN and downloading the correct IRDB data).

Daly does not specifically teach the ESN features compared with an ESN acquired from a mobile communication device [to update IRDB template to be downloaded to the mobile communication device]. However, Daly discloses verifying the correct ESN in a multi-service telecommunication service provider network for determining and downloading the IRDB to the mobile communication device (see for example, paragraph [0076], lines 1-12, [0055], lines 1-4).

In related art, Bridges discloses the ESN features compared with an ESN acquired from a mobile communication device [to update IRDB template to be downloaded to the mobile communication device] (see for example, paragraph [0075], lines 7-29), and wherein comparing the ESN acquired from the mobile

communications occurs when [the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates] (see for example, paragraph [0075], lines 1-29).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Bridges' Intelligent Roaming System method of comparing the ESN (see for example, paragraph [0075], lines 1-29) with Daly's mobile telecommunication system to provide the mobile station with pre-programmed information for intelligent roaming communicating with intelligent roaming database (IRDB) to prevent "wrongly identify a favored partner/associate service provider as the customer roams through various geographic areas" (Daly, paragraph [0014], lines 14-18), and to provide personal communication services and other wireless network system, and mobile stations having intelligent roaming and over-the-air programming features (Bridges, [0003], lines 3-6).

Regarding claims 14 and 28, Daly discloses a system for obtaining correct IRDB information for a mobile communication device in a multi-service telecommunication service provider environment (see for example, Figure 3, 313, paragraph [0033], lines 1-14, [0034], lines 1-15, [0045], lines 1-10, paragraph [0065], lines 1-6, in Figure 3 the system for obtaining the IRDB (313) information for a mobile communication device in a multi-service provider environment), comprising: querying a table containing a plurality of features associated with a mobile telecommunication devices for a plurality of wireless markets in

accordance with the ESN received from the mobile communication device (see for example, Figure 3 (312, 313), Figures 12 and 13, paragraph [0071], lines 1-10, containing ESN associated with mobile telecommunication devices); selecting an IRDB template from an IRDB database based on the value of the ESN received from the mobile communication device and the features contained in the table (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting IRDB based on received ESN information), and [wherein comparing the ESN acquired from the mobile communications occurs when] the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates (see for example, paragraph [0055], lines 1-4, [0065], lines 1-6, [0067], lines 1-12, [0069], lines 1-15, selecting ESN and downloading the correct IRDB data).

Daly does not specifically teach the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device]. However, Daly discloses verifying the correct ESN in a multi-service telecommunication service provider network for determining and downloading the IRDB to the mobile communication device (see for example, paragraph [0076], lines 1-12, [0055], lines 1-4).

In related art, Bridges discloses the ESN features compared with an ESN acquired from a mobile communication device [to up date IRDB template to be downloaded to the mobile communication device] (see for example, paragraph

[0075], lines 7-29), and wherein comparing the ESN acquired from the mobile communications occurs when [the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates] (see for example, paragraph [0075], lines 1-29).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Bridges' Intelligent Roaming System method of comparing the ESN (see for example, paragraph [0075], lines 1-29) with Daly's mobile telecommunication system to provide the mobile station with pre-programmed information for intelligent roaming communicating with intelligent roaming database (IRDB) to prevent "wrongly identify a favored partner/associate service provider as the customer roams through various geographic areas" (Daly, paragraph [0014], lines 14-18), and to provide personal communication services and other wireless network system, and mobile stations having intelligent roaming and over-the-air programming features (Bridges, [0003], lines 3-6).

Regarding claim 2, Daly in view of Bridges teach claim 1, and further Bridges the capabilities of the mobile communication device consisting of single band, dual band, IRDB capability, over the air programmability (see for example, paragraph [0046], lines 6-19, and paragraph [0003], lines 3-6).

Regarding claims 3, 4 and 5, Daly in view of Bridges teach claim 1, and further Daly teaches the MIN value provides wireless mobile communication system

information about a wireless market that the mobile communication device is currently operating in (see for example, paragraph [0067], lines 6-8, paragraph [0039], lines 1-7, and [0041], lines 11-13), and the wireless mobile communication system information further comprises information selected from the group consisting of type of system from which the mobile communication device is homed (see for example, paragraph [0032], lines 6-14), and operation over an "A" band (see for example, paragraph [0008], lines 6-10, and paragraph [0010], lines 18-22), operation over a "B" band (see for example, paragraph [0008], lines 6-10), and operation over a "PCS" band (see for example, paragraph [0008], lines 1-10, and paragraph [0010], lines 18-22), SOC locked status (see for example, paragraph [0009], lines 7-11, and paragraph [0054], lines 1-15), and wireless market location the mobile communication device is operating in and point code of an HLR (see for example, paragraph [0048], line 1, and paragraph [0049], lines 1-13).

Regarding claims 6-9, Daly in view of Bridges teach claim 1, and further Bridges teaches an NPANXX value associated with the mobile communication device (see for example, paragraph [0039], line 3-7), and the NPA/NXX value includes a wireless market prefix in which the mobile communication device is operating (see for example, paragraph [0039], line 3-7), and the NPA/NXX value provides information to assist in determining the IRDB template to download to the mobile communication device (see for example, paragraph [0039], lines 3-7,

paragraph [0055], lines 1-4, paragraph [0067], line 6-12), and the NPA/NXX value is associated with a particular IRDB template for the mobile communication device (see for example, paragraph [0039], line 1-7).

Regarding claim 10, Daly in view of Bridges teach claim 1, and further Daly teaches a message tracker for storing the up-to-date IRDB template (see for example, paragraph [0034], line 1-7).

Regarding claims 16, 17 and 18, Daly in view of Bridges teach claim 15, and further Daly teaches querying a table further comprises querying an ESN market template database, ESN ranges, MIN values (see for example, paragraph [0034], line 1-7, [0041], lines 11-13, [0067], lines 1-15)

Regarding claim 21, Daly in view of Bridges teach claim 15, and further Daly teaches downloading the IRDB template to the telecommunication device (see for example, paragraph [0055], lines 1-4).

Regarding claims 19, and 26, Daly in view of Bridges teaches claims 15, 22, and further Bridges teaches querying NPAINXX values.

Regarding claims 20, and 27, Daly in view of Bridges teach claims 15, 22, and further Daly teaches the ESN features being compared with an ESN acquired

from a mobile communication device in a multi-service telecommunication service provider network for determining an up-to-date IRDB template to be downloaded to the mobile communication device (see for example, paragraph [0055], lines 1-4, the IRDB is downloaded to mobile communication device, paragraph [0065], lines 1-7, network communication and updating IRDB information, paragraph [0064] - [0071], illustrates the ESN features being compared with ESN acquired from a mobile station (step 2 [0067], step 8 [0069], steps 1, 2, and 5 [0071])).

Regarding claims 23, 24 and 25, Daly in view of Bridges teach claim 22, and further Daly teaches querying a table further comprises querying an ESN market template database, ESN ranges, MIN values (see for example, paragraph [0034], line 1-7, [0041], lines 11-13, [0067], lines 1-15)

Response to Arguments

Note: This office action has been restructured for clarity. Examiner did not change the ground of rejection; but has changed the argument of the rejection to reflect the new amendment of the claims. Both references Daly and Bridges (Bridges et al.) teach limitations "IRDB templates" and "ESN". The Examiner shows (rejection above) that

both references are related to the claimed limitations "IRDB templates" and "ESN".

2. Applicant's arguments filed September 29, 2004 have been fully considered but they are not persuasive.

The applicant's argued features in the claims, i.e., providing a system for obtaining IRDB information for a mobile communication device in a multi-service telecommunication service provider environment with a memory for storing data for access by an application program executed by a computer for obtaining IRDB information for a mobile communication device in a multi-service telecommunication service provider environment including a table containing a plurality of ESN features associated with mobile telecommunication devices for a plurality of wireless markets, and comparing the ESN acquired from the mobile communications occurs when the IRDB template is to be downloaded to ensure correct IRDB template selection from an IRDB database of available IRDB templates to be established read upon Daly in view of Bridges (Bridges et al.) as follows.

Daly discloses a system for obtaining IRDB information for a mobile communication device in a multi-service telecommunication service using the computer based over the air processor for the application program to create, store and access the IRDB for a mobile communication device in a multi-service provider environment and the stored table containing ESN associated with the

mobile telecommunication devices and the correct IRDB table with the selected ESN is being downloaded. Daly does not specifically teach the ESN features compared with an ESN acquired from a mobile communication device, however, Daly discloses verifying the correct ESN in a multi-service telecommunication service provider network for determining and downloading the IRDB to the mobile communication device. In related art, Bridges discloses the ESN features compared with an ESN acquired from a mobile communication device to up date IRDB template. Daly and Bridges are both analogous to the applicants teaching, that's why they do obviate.

Therefor, Examiner believes the claims are broad enough to be combining Bridges' Intelligent Roaming System method of comparing the ESN with Daly's mobile telecommunication system to provide the mobile station with pre-programmed information for intelligent roaming communicating with intelligent roaming database (IRDB).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Shaima Q. Aminzay

(Examiner)


Nay Maung

(SPE)

NICK CORSARO
PRIMARY EXAMINER

Art Unit 2684

January 31, 2005